

**REMARKS**

In the August 9, 2004 Communication, the Examiner refused to consider the May 11, 2004 Amendment. The Examiner believed that the Amendment was non-responsive, as the amended claims allegedly deviated from the group elected in response to the January 31, 2002 restriction requirement.

Applicant respectfully disagrees that the amended claims are drawn to a non-elected invention. The January 31, 2002 restriction requirement sought election among the following three groups:

Group I, claims 1-5, drawn to a **recording apparatus/method** including extracting clock and transport packet from a stream, clock generating, time-stamp generating, and time-stamp continuity information generating, classified in class 369, subclass 53.34;

Group II, claims 6-8, drawn to an **editing apparatus/method** including selecting one of a plurality of streams and time stamp continuity information rewriting, classified in class 369, subclass 47.23; and

Group III, claim 14, drawn to a **recording medium** for recording time-stamps discontinuity information between connected streams, classified in class 369, subclass 275.3.

Applicant elected Group I for further prosecution in this application. Applicant respectfully believes that the pending claims still fall within elected Group I as the claims are directed to, for example, a system that "records."

If the Examiner disagrees, the Examiner is respectfully urged to contact the undersigned to schedule a telephone interview to discuss this matter further. Applicant notes that this application has undergone a lengthy prosecution that has affected the patent term of any

allowable subject matter. The Examiner's supervisor is also invited to participate in the telephone interview.

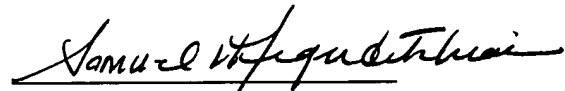
Accordingly, it is respectfully submitted that the May 11, 2004 Amendment is responsive to the February 25, 2004 Office Action and, thereby, warrants consideration on the merits. Applicant, therefore, respectfully requests that the Communication be reconsidered and withdrawn.

The undersigned looks forward to hearing favorably from the Examiner shortly.

Respectfully submitted,

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